



## School Discipline Policies

### Which nonpunitive approaches, if any, are outlined as alternatives to suspension and/or expulsion?

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At least 37 states and the District of Columbia outline alternatives to suspension/expulsion or non-punitive supports that are either available or encouraged. Commonly cited approaches include community service, conflict resolution, counseling, peer mediation, positive behavioral interventions, restitution and restorative justice.

This data point highlights nonpunitive approaches and alternative discipline strategies states may use in place of or in addition to suspension and expulsion, as outlined in state statute or regulation. To view other data points in this resource, click [here](#). The following information was gathered from state statutes and regulations only.

STATE	Which non-punitive approaches, if any, are outlined as alternatives to suspension and/or expulsion?	Source
Alabama	Not specified in statute or regulation.	
Alaska	Non-punitive supports may include conflict resolution and mental health/substance use programs.	Alaska Stat. Ann. § 14.33.120
Arizona	Each school district shall establish an alternative to suspension program which shall be discipline intensive and require academic work, and may require community service, groundskeeping and litter control, parent supervision, and evaluation or other appropriate activities. A school district or charter school may modify requirements for expulsion for threatening a school on a case by case basis if the pupil participates in mediation, community service, restitution or other programs in which the pupil takes responsibility for the results of the threat.	Ariz. Rev. Stat. Ann. § 15-841

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Arkansas	School discipline policies shall include prevention, intervention, and conflict resolution provisions.	Ark. Code Ann. § 6-18-502
California	Alternatives to discipline may include community service, conferences, counselor referrals, study and guidance team plans, anger management/prosocial behavior programs, restorative justice, positive behavioral interventions and supports, after school programs.	Cal. Educ. Code § 48900.5 Cal. Educ. Code § 48900.6
Colorado	School districts are encouraged to consider whether a lesser intervention would properly address the violation committed by the student. School districts are also encouraged to consider context prior to suspension or expulsion. Parents may attend class with the student to avoid removal.	Colo. Rev. Stat. Ann. § 22-33-105 Colo. Rev. Stat. Ann. § 22-33-106
Connecticut	Completion of an administration-specified program could result in waiving a suspension for students who are suspended for the first time.	Conn. Gen. State. Ann. § 10-233c
Delaware	Prior to referring for alternative placement, the following interventions must be utilized-- school-based interventions, counseling services, development and implementation of a behavior support plan, mentoring, referral to mediation. Schools that meet certain thresholds of exclusionary discipline use must review their discipline policies and assure proper implementation of restorative justice practices.	Code Del. Regs. 14 616
District of Columbia	Whenever possible, prevention, intervention, and remediation strategies shall be used in addition to disciplinary responses at all stages of the disciplinary process, including students transitioning from Suspension or Expulsion. Options for prevention, intervention, and remediation include anger management, community service, conflict resolution, individual or group counseling, mentoring, parent conference, problem solving conferences, restitution, and restorative justice strategies.	D.C. Mun. Regs. tit. 5-B, § 2500
Florida	Schools are encouraged to use alternatives to expulsion by addressing behavior through restitution, civil citation, teen court, neighborhood restorative justice or similar programs.	Fla. Stat. Ann. § 1006.13

STATE	Which non-punitive approaches, if any, are outlined as alternatives to suspension and/or expulsion?	Source
Georgia	Local boards of education are encouraged to implement response-to-intervention and positive behavioral interventions and supports in their schools and the State Board of Education is authorized to provide funds to support those programs. Multi-tiered Systems of Support and Response-to-Intervention programs are required for students in prekindergarten-3.	Ga. Code Ann. § 20-2-741 Ga. Code Ann. § 20-2-742
Hawaii	Non-punitive supports may include Individualized instruction related to student's problem behaviors, Interim alternate education setting, parent conferences, and restitution.	Haw. Code R. 8-19-6
Idaho	District policies shall include a series of graduated consequences that may include, but are not limited to, referral to counseling, diversion, use of juvenile specialty courts, restorative practices, on-site suspension and expulsion for any student who commits an act of bullying, intimidation, harassment, violence or threats of violence. Guidelines for such policies will be set forth in the rules of the state board.	Idaho Code Ann. § 33-1631
Illinois	School officials shall limit the number and duration of expulsions and suspensions to the greatest extent practicable, and it is recommended that they use them only for legitimate educational purposes. To ensure that students are not excluded from school unnecessarily, it is recommended that school officials consider forms of non-exclusionary discipline prior to using out-of-school suspensions or expulsions.	105 Ill. Comp. Stat. Ann. 5/10-22.6
Indiana	Alternatives to discipline include peer counseling, parent conferences, assigning additional coursework, and rearranging class schedules. Grants are available for school-wide training on alternatives to suspension and expulsion including classroom management, positive behavioral interventions and supports, restorative practices and social-emotional learning.	Ind. Code Ann. § 5-2-10.1-2 Ind. Code Ann. § 20-33-8-25
Iowa	Not specified in statute or regulation.	
Kansas	Not specified in statute or regulation.	
Kentucky	Districts must implement Response-to-Interventions systems for grades kindergarten-3 that includes multi-tiered systems of support to address academic and behavioral needs.	704 Ky. Admin. Regs. 3:095

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Louisiana	Students in Kindergarten and Elementary grades may be offered alternative classrooms, intervention or prevention programs. For violations related to bullying, disciplinary action may include referral for counseling on conflict resolution, social and family responsibility, peer mediation and stress management.	La. Rev. Stat. Ann. 17:416 La. Rev. Stat. Ann. 17:416.17
Maine	School boards must consider disciplinary policies that focus on positive and restorative interventions and evidence-based practices--avoiding zero tolerance policies.	Me. Rev. Stat. tit. 20-A § 1001
Maryland	Requires schools with suspension rates that exceed specified standards to implement a positive behavioral interventions and support program. Requires school systems serving students in prekindergarten through second grade to remedy the impact of a student's behavior through appropriate interventions methods, including restorative practices.	Md. Code Ann., Educ. § 7-304.1 Md. Code Ann., Educ. § 7-305.1
Massachusetts	Students may not be expelled until alternative strategies have been used. Alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive interventions and supports.	603 Mass. Code Regs. 53.05 Mass. Gen. Laws Ann. 71 § 37H 3/4
Michigan	School boards must consider using restorative practices as an alternative or in addition to suspension or expulsion. Consideration must be given to graduated interventions and other context.	Mich. Comp. Laws Ann. § 380.1310c Mich. Comp. Laws Ann. § 380.1310d
Minnesota	Non-punitive approaches may include assigning the pupil to attend school on Saturday or encouraging a parent/guardian to attend school with the pupil for a day	Minn. Stat. Ann. § 121A.575
Mississippi	Behavior plans must be created for a student and must include positive behavioral intervention supports. Parents may attend classes with their child for an agreed upon time.	Miss. Code Ann. § 37-11-18.1 Miss. Code Ann. § 37-11-53 Miss. Code Ann. § 37-11-54
Missouri	Districts are encouraged to use in-school suspension systems and discipline alternatives prior to suspending students for more than 10 days.	Mo. Ann. Stat. § 167.164
Montana	Not specified in statute or regulation.	

STATE	Which non-punitive approaches, if any, are outlined as alternatives to suspension and/or expulsion?	Source
Nebraska	Students who are truant or tardy may be given alternatives to suspension or expulsion. Non-punitive supports may include: counseling, parent conferences, referral to restorative justice practices or services, schedule rearrangement, after hours instruction, psychological or psychiatric evaluations, and restriction of extracurricular activities.	Neb. Rev. Stat. § 79-258 Neb. Rev. Stat. § 79-267
Nevada	Schools must provide a plan of action prior to expulsion that is based on restorative justice, which is defined to mean non-punitive intervention and support. The department of education must provide at least one example of a plan of action, and post a related guidance document online.	Nev. Rev. Stat. Ann. § 392.466 Nev. Rev. Stat. Ann. § 392.472
New Hampshire	Before expelling a pupil a local school board must consider a number of factors, including whether a lesser intervention would properly address the violation or behavior.  School boards and charter schools must establish policies that include a graduated set of age appropriate responses to misconduct, such as parent conferences, instruction in conflict resolution and anger management, community service and detention, as well as suspension and expulsion.	N.H. Rev. Stat. Ann. § 193:13
New Jersey	School districts must implement a Response to Intervention framework that includes multiple levels of intervention that are progressively more intense, based on student responsiveness. School districts and charter schools must implement systems to identify students in preschool through 2nd grade who are experiencing disciplinary problems and provide behavioral supports.	N.J. Stat. Ann. § 18A:6-135 N.J. Stat. Ann. § 18A:37-2b
New Mexico	Not specified in statute or regulation.	
New York	Not specified in statute or regulation.	
North Carolina	Non-punitive supports include conferences, counseling, peer mediation, behavior contracts, conflict resolution, anger management, detention, academic intervention, and community service.	N.C. Gen. Stat. Ann. § 115C-390.2
North Dakota	Not specified in statute or regulation.	

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Ohio	Boards of education may allow students to perform community service in addition to, or in place of, suspension or expulsion.	Ohio Rev. Code Ann. § 3313.661
Oklahoma	Not specified in statute or regulation.	
Oregon	District school board discipline policy must require consideration of a student's age and past pattern of behavior prior to imposing a suspension or expulsion. Discipline policies must be designed to employ prevention and intervention strategies, including those that research shows are effective in promoting safe and productive social behavior. Students may be required to attend school during non-school hours as an alternative to suspension.	Or. Rev. Stat. Ann. § 339.250
Pennsylvania	Not specified in statute or regulation.	
Rhode Island	Not specified in statute or regulation.	
South Carolina	For certain offenses, students may be referred to an intervention team to establish behavioral management strategies, which may include restorative justice, counseling and service learning projects in addition to an appropriate disciplinary action.	S.C. Code Ann. Regs. 43-279
South Dakota	Not specified in statute or regulation.	
Tennessee	The legislature requires the department to develop a model policy for alternatives to exclusionary discipline practices for students in pre-kindergarten through kindergarten. Each local education agency must either adopt the model policy or develop their own.	Tenn. Code Ann. § 49-6-3024
Texas	Districts may develop positive behavior programs that provide alternatives to discipline for students below grade 3. The programs may include: positive behavioral intervention and support, trauma-informed practices, social-emotional learning, restorative practices and a referral for services as necessary.	Tex. Educ. Code Ann. § 37.0013

STATE	Which non-punitive approaches, if any, are outlined as alternatives to suspension and/or expulsion?	Source
Utah	<p>Local Education Agencies must implement strategies to assist students through a continuum of interventions, including positive behavior interventions and supports, prior to administrative referral. Each local school board or charter school governing board must establish policies to implement remedial discipline plans that allow students to remain in school prior to suspension or expulsion in cases that are not violent or extreme. Other alternatives to suspension include allowing a parent to attend class with the student.</p> <p>The state superintendent must research and publish a report that includes model plans with suggested resource pools, and recommendations for school boards and personnel regarding alternatives to suspension or expulsion. The superintendent must also maintain relevant data for purposes of accountability, later reporting, and future analysis.</p>	<p>Utah Admin. Code r. R277-609-6  Utah Code Ann. § 53G-8-207  Utah Code Ann. § 53G-8-210</p>
Vermont	<p>Students may receive training in conflict resolution, peer mediation and anger management. Students involved with drug or alcohol abuse may receive referrals for counseling, treatment and rehabilitation.</p>	<p>Vt. Stat. Ann. tit. 16, § 1161a  Vt. Stat. Ann. tit. 16, § 1165</p>
Virginia	<p>The Board of Education must establish guidelines for alternatives to suspension for consideration by local school boards, including: positive behavior incentives, mediation, peer-to-peer counseling, community service, and other interventions.</p>	<p>Va. Code Ann. § 22.1-16.6</p>
Washington	<p>School districts are encouraged to use alternative disciplinary actions in place of suspension for certain offenses. School districts are encouraged to reduce the length of suspensions with the commencement of counseling or other treatment services. Except in emergency circumstances, teachers must attempt at least one alternative form of corrective action before using exclusionary discipline.</p>	<p>Wash. Rev. Code Ann. § 28A.600.015  Wash. Rev. Code Ann. § 28A.600.020  Wash. Rev. Code Ann. § 28A.600.410</p>
West Virginia	<p>Schools must implement a preventative discipline program which may include the responsible student program and a student involvement program.</p>	<p>W. Va. Code Ann. § 18A-5-1</p>
Wisconsin	<p>Not specified in statute or regulation.</p>	
Wyoming	<p>Not specified in statute or regulation</p>	